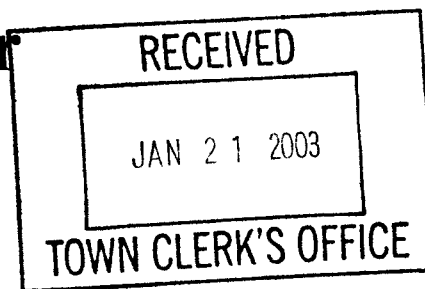




Town of New Windsor

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OFFICE OF THE PLANNING BOARD



WEDNESDAY — JANUARY 22, 2003 - 7:30 PM
TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: NOVEMBER 13, 2002

ANNUAL MOBILE HOME PARK REVIEW:

- (a) SILVER STREAM MOBILE HOME PARK – RT. 207 (CLARK)

REGULAR ITEMS:

1. CARALEX REALTY LOT LINE CHANGE (02-28) Rt. 300 (Shaw) Proposed lot line change.
2. CARALEX REALTY SITE PLAN (02-29) Rt. 300 (Shaw) Proposed construction of 31,750 s.f. warehouse.
4. SEAMAN SUBDIVISION (00-23) KNOX DRIVE (SEAMAN)
Proposed three lot residential subdivision
3. KIELLY ESTATES (COLEMAN) (03-01) LAKE ROAD (DILLIN) Proposed 10-Lot Residential subdivision for single-family homes
4. BEN HARRIS RIVER ROAD SITE PLAN (02-01) RIVER ROAD (COPPOLA)
Proposed new construction office building on River Road.
5. FIRST COLUMBIA SUBDIVISION (02-200) STEWART AIRPORT PROPERTY (BETTE) Adopt Final DEIS Scope

ADJOURNMENT

(NEXT MEETING –February 26, 2003)

January 22, 2003

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TOWN OF NEW WINDSOR

PLANNING BOARD

JANUARY 22, 2003

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JIM BRESNAN
RON LANDER
JERRY ARGENIO
THOMAS KARNAVEZOS

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

REGULAR MEETING

MR. PETRO: I'd like to call to order the January 22, 2003 meeting of the Town of New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED: NOVEMBER 13, 2002

MR. PETRO: Has everyone had a chance to read the November 13, 2002 minutes? Motion to accept them as written.

MR. ARGENIO: So moved.

January 22, 2003

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MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning board accept the minutes as written for November 13, 2002. Roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

January 22, 2003

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ANNUAL MOBILE HOME PARK REVIEW:

SILVER STREAM MOBILE HOME PARK - ROUTE 207

MR. PETRO: Silver Stream Mobile Home Park review carried over from last time. Is there anyone here to represent this? We'll just table it, see if he shows up within the next hour.

REGULAR ITEMS:

CARALEX REALTY LOT LINE CHANGE (02-28)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Application proposes lot line change between the referenced lots to create a lot on the end of Industrial Way. Plan previously reviewed at the 25 September, 2002 planning board meetings. Does this lead into a site plan?

MR. SHAW: Yes.

MR. PETRO: You went to the zoning board for something?

MR. SHAW: Yes, we initially came before this board for one meeting and that was a rejection to allow us to go to the zoning board for a building height variance. We had two meetings, the second one was the public hearing and we were successful in having that variance granted. But again, that's for the site plan application which is following this. As the chairman mentioned, this application is for a lot line change between two parcels of land on the southerly side of the Industrial Way, both parcels are owned by Caralex Realty. The purpose of the lot line change is to allow Caralex to build a building which will be the following application to this board on the most westerly parcel of the land. We're looking at a total of 0.79 acres which will be conveyed from the easterly parcel to the westerly parcel. Indicated on the lot line change plan is the limits of the New York State DEC wetlands, as you can see, it substantially encroaches into the most westerly portion. Again, that's the reason why we need to take land from one lot and transpose it over to the other lot. In our initial meeting to this board, your engineer suggested that seeing that this would be the final build out of Industrial Way that there should be a cul-de-sac at the end of the town road and this drawing reflects that cul-de-sac. We have indicated the cul-de-sac the construction that will be required for the cul-de-sac concrete curbing with curbing to catch the storm water storm drain piping and storm

drainage easements which will ultimately dispose the water on the lands of Caralex Realty which will discharge overland to Silver Stream which is a substantial distance from the discharge, maybe 1,000, 1,200 feet. We're also indicating on the lot line change plans an easement for the mutual benefit of the two lot owners, again, Caralex Realty for the common maintenance of the 8 inch water main which is going to service both lots. And finally, there's going to be two right-of-ways for ingress egress. Again, that's better reflected on the site plan to show how tractor trailers, cause again this is a warehouse building that is going to be constructed will be able to negotiate through the two properties.

MR. PETRO: The cul-de-sac that you're going to be building at the end of Industrial Way is going to be at the applicant's expense?

MR. SHAW: Yes.

MR. PETRO: Therefore, part of public improvement bond, is that?

MR. SHAW: Yes.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency under the SEQRA process for the Caralex Realty lot line change. Roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: As far as a public hearing is concerned, I can't see why we need to have a public hearing for this minor transference of property. I assume you had a public hearing when you went to the zoning board?

MR. SHAW: Correct, no one was present from the public and I may point out that my client owns both sides of Industrial Way for its entire length from Temple Hill Road to its termination.

MR. PETRO: He's transferring it to himself?

MR. SHAW: Correct.

MR. PETRO: Motion to waive the public hearing.

MR. LANDER: The only other person is the Palisades Interstate Sark Commission and I don't think they'd be too interested in that.

MR. SHAW: I don't think so. They didn't show up at the public hearing for the zoning board.

MR. BRESNAN: So moved.

MR. LANDER: Would they have to be notified about the zoning cause they're adjoining land owners?

MR. SHAW: Everybody within 500 feet gets notified via mail.

MR. LANDER: They were notified?

MR. SHAW: Yes.

MR. LANDER: Second it.

MR. PETRO: Motion to waive the public hearing.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE

MR. PETRO AYE

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Caralex Realty lot line change. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER AYE
MR. BRESNAN AYE
MR. KARNAVEZOS AYE
MR. ARGENIO AYE
MR. PETRO AYE

MR. PETRO: As I said before, you're going to have to get a public improvement bond estimate to the town and subsequent approval of the Town Board.

MR. SHAW: Correct.

MR. PETRO: The applicant should submit the descriptions of the offers of dedication to the town attorney, copy to the planning board engineer for necessary review.

MR. SHAW: Correct.

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Caralex Realty lot line change on Industrial Way. Is there any further discussion from the board members?

January 22, 2003

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If not, roll call. Also, obviously, the subject-to's that I just read in.

MR. SHAW: Absolutely.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

CARALEX REALTY SITE PLAN (02-29)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Caralex Realty site plan on Route 300 proposed construction of 31,700 square foot warehouse. Same plan, Greg?

MR. SHAW: No, little different.

MR. PETRO: Also reviewed at the 25 September, 2002 planning board meeting. In a PI zoning district, bulk information shown on the plan is correct. Record of the ZBA action should be on file with the planning board which I assume it is?

MS. MASON: Yes.

MR. PETRO: Yes, it is. The only outstanding modification to the bulk table to provide net lot area and document compliance based on information on the lot line change. There appears to be no compliance problem.

MR. EDSALL: It's on the lot line change plan. I just want to have it on the site plan so if that's pulled out, it's clear on the plans you get stamped.

MR. SHAW: That's not a problem. Very quickly, Mr. Chairman, as I discussed briefly we're transposing land from one lot of Caralex onto another in order to create a lot, a building an area on this lot for a new warehouse building of 31,750 square feet. Having received building height variance from the ZBA, we're now in compliance with the zoning ordinance of New Windsor and by virtue of the fact that we have to provide 32 spaces for this building, we have provided 35 spaces, far in excess of what we need. The building will be serviced by town water, town sewer. As you will notice on this plan, I have shaded in the newer macadam area. What we have is a common staging area for tractor trailers and again, it's reflected in the common right-of-ways as I previously mentioned that vehicles entering into the new site will have to drive

on the parcel immediately to the north in order to access and vice versa and for this reason that we have provided this right-of-way on each lot to allow mutual ingress egress of vehicles who have to access the buildings. That Mr. Chairman very quickly is an overview on this parcel. If you have any questions?

MR. LANDER: What do we have from fire?

MR. PETRO: Approved on 1/7/2003, highway conceptually approved, more information needed for final approval. Applicant should construct cul-de-sac at the end of Industrial Way, so that's done. So if that's his condition, I would say you have met that. Motion to take lead agency.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board declare itself lead agency under the SEQRA process for Caralex Realty site plan on Industrial Way. Roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Motion to waive the public hearing.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE

MR. PETRO AYE

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for the Caralex Realty site plan on Industrial Way. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER AYE
MR. BRESNAN AYE
MR. KARNAVEZOS AYE
MR. ARGENIO AYE
MR. PETRO AYE

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Caralex Realty site plan on Industrial Way. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER AYE
MR. BRESNAN AYE
MR. KARNAVEZOS AYE
MR. ARGENIO AYE
MR. PETRO AYE

MR. PETRO: Bond estimate needs to be submitted in accordance with Chapter 19 of the Town Code. Mark, do you have any outstanding comments? I see nothing here.

MR. EDSALL: No, other than the bond estimate and the one bulk table addition they have taken care of everything.

MR. PETRO: We'll just count what you just said as the subject-to's. Any of the board members have any

questions? We've seen it a couple times. It's been to the zoning board, just did the lot line change and I will take a motion for final approval.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Caralex Realty site plan on Industrial Way with the two subject-to's that Mark read in which are very minor. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

SEAMAN SUBDIVISION (00-23)

Mr. Robert Murray appeared before the board for this proposal.

MR. PETRO: The application was rescheduled for 11 December, 2002 meeting and comments were prepared. The applicant was a no show. Attached are my review comments for the December meeting. The information on the plan appears correct for the zone and use bulk table has been corrected as requested. Fire inspector and planning board previously approved the T turnaround configuration. In addition, the overall layout of the roadways, and a review of the drainage issues was considered in a field meeting with the Highway Superintendent on 9/16/02. So we have over here with highway disapproved, need area for snow storage push off.

MR. EDSALL: That's on the plans.

MR. PETRO: So that's a while ago. So I don't know if he's seen your new plan or you have met with him.

MR. MURRAY: Yes, you should have a copy.

MR. EDSALL: Well, I don't know that he's responded but on the date that you referenced Jim, the 16th of September, we met out in the field and I kept the list of all the requirements between the two of us and he's addressed all the comments that we had in the field.

MR. PETRO: On the plan?

MR. EDSALL: On the plans. And I've got a couple minor adjustments that need to be made but the plans comply with the field meeting.

MR. PETRO: Plans will comply with what Mr. Kroll wants done, so we can assume that he's complied with it and we can go ahead and approve it.

MR. EDSALL: Right and the turnaround easement and snow disposal easement must be properly called out on the plan and an easement agreement should be prepared for

review by the Town Attorney. The plan is in conformance with the meeting we had in the field.

MR. PETRO: Do you want to make a presentation? Do you want to say anything?

MR. MURRAY: I'd like to request final approval for Jane and Tad Seaman tonight. This is the first meeting that I have attended on this and I know that Tad attended a number of meetings from what I understand so there has been a bit of confusion here, but I think at this point, we should just about be there. It's tax map reference is Section 6, Block 5, Lot 46.3, it's Town of New Windsor, it's located off an existing 50 foot right-of-way stub being a part of Windsor Estates final map lot number 1637. At the point where it reaches our property from that point on we're going to, it will be a private road from that point on, we'd like to request a T turn instead of a cul-de-sac.

MR. PETRO: I thought we were passed that, the T turn?

MR. EDSALL: As long as the board doesn't object, the highway superintendent has written off on it and given the number of lots, it's probably appropriate.

MR. PETRO: We talked about that at one meeting.

MR. EDSALL: I think you agreed to it. The only concern I have, Jim, for a conditional approval is my second bullet with the status of the sewer main approval, I don't know if you can, unless you've gotten something back from DEC, I don't even know if it's been submitted to them. I'm waiting to get some record of where the engineer stands on that.

MR. MURRAY: I submitted this for your review back in November.

MR. EDSALL: Back from DEC?

MR. MURRAY: This is what I gave to you.

MR. EDSALL: We comments on the sewer but--

MR. MURRAY: And--

MR. EDSALL: Did the application ever go to DEC and to the Town Board?

MR. MURRAY: You were going to review it and we were going to go from there.

MR. EDSALL: I remember seeing the plans but no application.

MR. MURRAY: I dropped it off at your office the day after Thanksgiving, you were on vacation.

MR. PETRO: Mark, the bottom line?

MR. EDSALL: I don't have any in the file, it's a surprise to me.

MR. PETRO: You're going to handle that anyway, we're not going to decide anything on it.

MR. EDSALL: It's DEC's call.

MR. PETRO: So what we can do just make it a condition.

MR. EDSALL: It's, to be honest with you, it's a very short extension to the sewer system, as I understand it, from speaking with Tad Seaman, they have already negotiated the reallocation agreement and I think he's talked to Phil Crotty already, so at this point, it's a procedural approval. Myra, did we adopt a negative dec on this?

MR. PETRO: We certainly had a public hearing.

MS. MASON: Yes.

MR. EDSALL: So the negative dec was adopted.

MS. MASON: On 9/12/2001.

MR. EDSALL: Well, that really closes SEQRA and that's what DEC would need to finish. So I listed the comments in preparation if you wanted to do a

conditional so my bullets are that.

MR. PETRO: Do any of the members have anything else they want to go over on this plan? I think we've seen it, this will be the fourth or fifth time.

MR. ARGENIO: There was an issue about the right-of-way, Mark, wasn't, there do you recall where the property lines were?

MR. EDSALL: The one issue I had was the original plan that was submitted called for changes in the road grade to match in the private road to the existing stub of a town road. When Bob and Henry and I met in the field, we found out what was being proposed on the original plans was absolutely unnecessary, so Bob has changed the plans. So the existing driveways from the two neighbors that come out into the town road stub are not affected at all. So the only affect on those properties is that they encroach. I believe there was some fences and landscaping that they put in the town right-of-way that would obstruct sight distance may have to go but that's on town property anyway so Henry said he'd coordinate that.

MR. PETRO: Curbing there already?

MR. EDSALL: Curbing up the stub portion.

MR. MURRAY: Not all the way.

MR. ARGENIO: One of the instructions I remember you giving Mark and the Chairman giving to the engineer of record at the time was that you need to identify the location of the right-of-way between Knox Drive and these lots, do you recall that?

MR. EDSALL: I think Bob was going to stake that out in the field.

MR. MURRAY: It has been staked out.

MR. ARGENIO: Clearly identified and the work proposed falls within those right-of-ways?

MR. MURRAY: Yes.

MR. ARGENIO: I think that ties into what you were just saying about some of the residents were saying that they had bushes and such that and there was a little confusion as to whether or not the bushes were on their property or the town's property and your statement of a few minutes ago clears that up.

MR. EDSALL: Split rail fence and some other improvements that were put off this property onto the town right-of-way. One of the reasons normally if it's a non-issue safety wise, it's something that may not be pursued but here you have a case where there's going to be traffic exiting the private road down the stub and the plantings could obstruct sight distances coming out of the driveways. So Henry's going to evaluate that when it's in construction, if it has to go, it's got to go.

MR. ARGENIO: Relative to that, let me just mention something, stockade fences, bushes and such when you say it has to go, does that mean they're demolished and disposed of by town forces or the developer has to relocate them further back 10, 20 or 30 feet so they're on the people's property?

MR. EDSALL: I don't think that's been concluded. Henry probably would have the option to offer to have the people before it's disturbed have the ability to relocate their improvement. I don't know that this developer would want to touch private improvements that were put in improperly in case the fence is decayed, when they go to move it, it breaks, then they're responsible. But we'll deal with it out in the field. If it's in good shape and we can work something out, we'll try to get everybody together.

MR. PETRO: I'm going to read in the comments from Mark, they're going to be considered subject-to's, your plans will not be stamped until they're all met and done, you know, and to Mark's consent. All right? You don't have to come back to the board. The applicant should submit a draft copy of the private road maintenance declaration to the planning board attorney

in recorded form to review. Applicant should submit a copy of the approval for the sewer main extension, turnaround easement and snow disposal easement must be properly called out on the plan and easement agreement should be prepared for review by the town attorney, sewer easement for the public sewer should be prepared, there is a possibility this could be a common document with an aforementioned easement. The planning board should require that a bond estimate for this be submitted for the subdivision for the public improvements in accordance with Chapter 19 of the Town Code. Applicant will be required to submit private road completion bond per the requirements of Section A60-10(A)(8) of the town street specifications prior to posting the bond, a cost estimate should be submitted for the review and approval. 911 numbering and name of the road, they should be coordinated with the fire inspector. You're representing the owner, if we do a final approval, you'll consent to all these?

MR. MURRAY: Yes.

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Seaman subdivision off Knox Drive with all the subject-to's that I just read in prior to the motion. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

KIELLY ESTATES (COLEMAN) (03-01)

Mr. James Dillin appeared before the board for this proposal.

MR. PETRO: Proposed ten lot residential subdivision for single family homes. Property is located in an R-1 zoning district of the town, bulk information on the plan is correct. This is 24.14 acres being divided into ten single family residential lots, each of the lots appear to comply with the minimum bulk requirements but this is not confirmed because there is not a complete bulk table on the plan. The planning board may wish to issue a lead agency coordination letter to begin the SEQRA review process. Applicant is here for concept review only. 911 policy as you heard you have to get that tied in with the fire inspector's office. First time we've seen this, correct?

MR. ARGENIO: Yes.

MR. PETRO: All right.

MR. DILLIN: This is a 24 acre parcel owned by Mr. Coleman on the east side of Lake Road. This plan is the result of two work sessions with Mark. What we have laid out is 4 lots that are entering right directly off Lake Road and putting in a private road where 6 lots would enter off the private road reducing the number of lots. Our entrance is out to Lake Road. On the second sheet you read something about the bulk table on the second sheet, I have the bulk tables, I think they comply. So there's two sheets with those, each sheet has the bulk tables on them, sheets 2 and 3, but we believe everything complies. It's going to be serviced by individual wells, individual septic systems. We have the net areas, the gross areas are over 80,000 and the net areas are just a little over 80,000 according to the table.

MR. PETRO: 1.9 acres, that must be very close.

MR. DILLIN: It's close, yeah, you have the square footages in the tables, some lots are 80,000. We also tried to, you see the existing stone walls, we used

those for boundary lines and we tried to maintain those. The walls that exist for lot number 4 will be right down the existing stone walls.

MR. PETRO: Where is the topo for this? Do we have a topo map here? Is this slope down onto the lots?

MR. DILLIN: Yeah, sloping down this way.

MR. PETRO: And the slope on the private road, is it within 10%, Mark?

MR. EDSALL: For the private road, well, I think Jim would probably once in concept, if you have no problem with the layout, probably give us a profile on the private road.

MR. DILLIN: Just the back of the cul-de-sac may have to be filled a little bit.

MR. PETRO: It's workable?

MR. DILLIN: Definitely, yes.

MR. PETRO: Jerry asked me the same thing, look at page 3.

MR. EDSALL: For lot count?

MR. PETRO: No, for the number of driveways on a private road.

MR. EDSALL: Well, you can have 6, but you can only have 4 lots that are internal and you can have an additional 2 and those two have legal frontage on a town road. We don't want the driveways on the town road.

MR. ARGENIO: But you can have 6 on a private road?

MR. EDSALL: Yes, as long as the two of the lots have legal frontage on the town road, that's the way it's been.

MR. LANDER: It was always my impression that the

driveways, as long as they exited onto the town road wouldn't be considered in the count.

MR. PETRO: I had the same impression, how come we seem to be so--we're just all wrong and you're right?

MR. EDSALL: That's how we set it up because think about it this way, the highway superintendent never wants to have two driveways right next to a private road exit.

MR. PETRO: Maybe it just never came up.

MR. EDSALL: This is supposed to avoid almost like flag private road lots where you have a narrow access and then get a whole bunch of lots inside, it's 4 plus a bonus 2 only if they have a--

MR. ARGENIO: So it's a cap of 6?

MR. EDSALL: If you can fit the two on the outside, sometimes you can fit one.

MR. LANDER: Eight hundred feet of road, that's the legal limit? I can probably straighten that out, we were wrong, he knew it, he just let us keep going with the idea we had in our heads until it came up.

MR. PETRO: To where it really matters, 12 years.

MR. BABCOCK: The way it's worded it says you can have 4 lots on a private road, then it goes on to say you can have two additional lots, if you have legal road frontage on the town road.

MR. PETRO: But I never knew it was frontage. I thought it had to exit on the town road. All right, conceptually, does anybody have a problem with the plan? He's exceeded or met the requirements at one point of 80,000 square feet, you're going to give us a profile for the road, just lot number one over there with the wetlands, if you netted out the 80,000, I mean, the 80,000 feet is included with the little bit of wetlands. You've got three acres anyway. All right, let's, I guess you've got Mark's comments.

MR. EDSALL: One I guess procedurally given the time of year and the weather conditions normally if this was a subdivision that we would have full review here at the town, you would normally not want to have a public hearing until you had all the soils information, but in this case, with the number of lots being over 5 in number under five acres they're going to be going to the health department and we don't have any jurisdiction on the sanitary anyway, so it's your option if you want to go ahead and have the profile added and any other details for the private road and then authorize a public hearing because we're not going to review the sanitary here anyway. That way, it doesn't hold him up, they can get two preliminary and it's their business.

MR. PETRO: Motion for lead agency coordination letter to be sent out.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded to have the lead agency coordination letter mailed for the Kielly Estates major subdivision on Lake Road. Is there any discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Motion to have a public hearing.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded we will have the public hearing but make sure you at least get

the road profile, get a little bit more done on the map, I'd like to have as much as we can for the public hearing. How about any of the driveways, anything affected?

MR. EDSALL: I will look with Jim on the plan, if there's any driveways that are in that zone where there starts to be a little concern for the grading, we'll get driveway profiles. If not, we'll leave it alone.

MR. PETRO: For the public hearing, get a little idea of where the drainage is going and how you're going to treat it because, you know, you're going to have somebody here and that's one of the major questions, we know it's going to the rear of the property.

MR. DILLIN: Coleman owns behind it.

MR. PETRO: Just address it so we have an answer. Motion has been made and seconded. Is there any further discussion?

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Try and come up with a name for the road and have it on the map, it would be a good idea for 911.

BEN HARRIS RIVER ROAD SITE PLAN (02-01)

Mr. Anthony Coppola appeared before the board for this proposal.

MR. PETRO: Proposed new construction of office building on River Road. Application proposes 26,700 square foot office building on the 3.3 acre parcel. Plan was previously reviewed at the 10 April, 2002, 14 August, 2002, 9 October, 2002 and 13 November, 2002 planning board meetings.

MR. LANDER: First question I have to ask is no response back from DOT?

MR. COPPOLA: We got the letter from the DOT, that's why we came back about two weeks ago, I have a copy.

MR. EDSALL: There's one in the file.

MR. BABCOCK: It's dated 1/10/03.

MR. LANDER: In a nutshell, what's the letter say?

MR. COPPOLA: He just basically grants, Richard Burns, who's the Newburgh engineer, grants final, grants conceptual approval and basically states that, you know, we have to file for a work permit.

MR. PETRO: We have a letter here, too.

MR. COPPOLA: And the big thing was this entrance and that was reviewed in Poughkeepsie and the guy basically agreed that that was the spot for the entrance.

MR. LANDER: I knew they were slow but I didn't know they were that slow.

MR. PETRO: 11/13/2002 approval by our highway. When was fire approval? Have you talked to the fire inspector? We have nothing here from the fire inspector.

MR. EDSALL: Bobby's, you know, I know you don't have a letter, but he's in support of the layout and the

information because he wrote a memo to me so I could send it to DOT to let them know, as you recall that he wanted this layout, and as far as I know from all the workshops, all his comments we've got the water main routing resolved, access he was happy with.

MR. COPPOLA: Location of the fire hydrants.

MR. EDSALL: We resolved that.

MR. BABCOCK: We can make sure we get something.

MR. EDSALL: Subject to his final write-off but I think he's happy with everything.

MR. COPPOLA: Sprinklered in the parking area underneath.

MR. PETRO: We had a public hearing, went through that. Motion for negative dec.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Ben Harris office building on River Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Tony, you know, there will be a couple subject-to's, so if I read them in, you're going to be consenting to those subject-to's before this plan is signed?

MR. COPPOLA: Yes, the bond estimates and fire, I

guess.

MR. PETRO: Mark, do you have anything else?

MR. EDSALL: No, we've worked everything out, just these two estimates.

MR. PETRO: And Bob Rogers and the fire inspector, site plan, bond estimate, public improvement estimate and Mr. Rogers signing off the plan. Do any of the board members have any further comment?

MR. ARGENIO: I have one question, if I can ask it, is the fence going on top of all the walls?

MR. COPPOLA: Is that how we detailed it?

MR. ARGENIO: I just assumed it was.

MR. COPPOLA: If we detailed it that way, yes.

MR. PETRO: What's the purpose of that, now that you bring it up? The wood split rail fence on top of the walls, to me, that doesn't really keep anybody out.

MR. COPPOLA: Well, I think it's a code requirement even though it's not part of the building that we protect anybody from falling over the side of the retaining wall.

MR. PETRO: If I have a four or five year old and he walks over there while somebody's in the building for some reason, he can go through the wood rail. If it was a chain link fence, he couldn't get through. A wood rail fence is more decorative than functional.

MR. COPPOLA: Somebody could crawl under the bottom rail, yes.

MR. EDSALL: Something that's been done in the past because chain link fence plainly looks like hell, maybe they can put the mesh attached to the split rail, a dark vinyl coated and it looks good, but it provides the protection.

MR. COPPOLA: We can do that.

MR. PETRO: So you have to add a note to the plan.

MR. COPPOLA: We'll revise that one detail.

MR. PETRO: Anything else?

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Ben Harris office building on River Road, subject to the site bond estimate, public improvements estimate, signing off by the fire inspector and the wire mesh not being added to the plan added to all the split rail fencing. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Motion for lead agency for the Ben Harris River Road site plan on River Road.

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Ben Harris site plan on River Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE

January 22, 2003

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MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

FIRST COLUMBIA SUBDIVISION (02-200)

MR. PETRO: First Columbia subdivision has requested to be off the agenda for tonight. So this will be tabled until the next agenda.

MR. PETRO: Motion to adjourn.

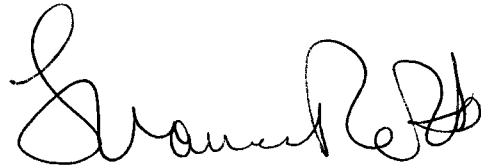
MR. KARNAVEZOS: So moved.

MR. LANDER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth
Stenographer

1/27/03